

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS
Proceeding Memorandum/Order

In Re: Roger R. Boulay and Susan L. Boulay

Case Number: 04-46239 (JBR)

Chapter: 13

MOVANT/APPLICANT/PARTIES

#57 Objection of Ch. 13 Trustee to Debtor's Motion to Amend Plan and Exemptions; #78 Chapter 13 Trustee's and Debtor's Statement of Agreed Facts

COURT ACTION:

Show Cause Order _____ Released _____ Enforced _____
_____ Granted _____ Approved _____ Moot _____
_____ Denied _____ Denied without Prejudice _____
_____ Withdrawn in Open Court _____
_____ Sustained #57 Overruled
_____ Continued to: _____
_____ Proposed Order to be Submitted by: _____
_____ Stipulation to be Submitted by: _____
_____ Taken Under Advisement _____

DECISION SET OUT MORE FULLY BY COURT AS FOLLOWS:

The Chapter 13 Trustee's objection to Exemption of the Annuity is overruled. The Massachusetts statute appears clear on its face that re exemption is available for "the right or interest of any person".

SO ORDERED:

Joel B. Rosenthal
Joel B. Rosenthal

Dated: 6/2/05